

REMARKS

The allowance of claim 40 and the allowability of claims 10-20 and 24-39 if rewritten in independent form including all of the limitations of the base claim and any intervening claims stand withdrawn. Claims 6-20 and 22-40 stand rejected under 35 USC §101 and under 35 USC §112, second paragraph. Claims 6-20 and 22-40 stand rejected under 35 USC §103(a) as being unpatentable over the cited publication by Lin.

Claims 6-20 and 22-40 have been amended to more clearly state the invention.

Each of the independent claims 10, 15, 24, 26, and 40 have been amended to more clearly define the invention reciting "automated meeting rescheduling" instead of automated meeting insertion and rescheduling. Thus, each of the independent claims 10, 15, 24, 26, and 40, as amended, is believed to more clearly state the invention and overcome the rejection under 35 USC §112. Each of the independent claims 10, 15, 24, 26, and 40 have been amended to more clearly define the invention positively reciting storing said identified solution time block for the automated meeting rescheduling. Thus, each of the independent claims 10, 15, 24, 26, and 40, as amended, is believed to clearly recite statutory subject matter and overcome the rejection under 35 USC §101.

With respect to the Examiner's indication that the independent claims 10, 15, 24, 26, and 40 fail to provide a result that is substantially repeatable and thus are not statutory under 35 USC §101, reconsideration is requested. Applicants respectfully submit that each of the independent claims 10, 15, 24, 26, and 40, as amended, recite

statutory subject matter under 35 USC §101 meeting requirements for substantially repeatable results. The present invention teaches and claims methods and meeting scheduler for automated meeting rescheduling for busy calendars, including features that are not described or available in any known prior art scheduling and calendaring arrangements. The scores calculated and meeting automation properties, illustrated, described and claimed by applicants, are used to identify a solution time block and enable repeatable results. Applicants respectfully submit that the subject matter of the invention, for example, the above limitations as recited in independent claim 1, provide statutory subject matter under 35 USC §101. The use of the scores calculated and meeting automation properties is not limited to performing a particular operation on the move score, such as addition or multiplication as suggested by the Examiner. Such limitations are not required to provide statutory subject matter under 35 USC §101. The invention recited new, useful, and non-obvious subject matter of methods and meeting scheduler for automated meeting rescheduling for busy calendars, that in fact, provide repeatable results. Applicants respectfully submit that each of the independent claims 10, 15, 24, 26, and 40, as amended, recite statutory subject matter under 35 USC §101.

Reconsideration and withdrawal of the rejection of claims 6-20 and 22-40, as amended, under 35 USC §101 and under 35 USC §112, as being indefinite is respectfully requested.

Reconsideration and allowance of each of the claims 6-20 and 22-40, as amended, is respectfully requested.

Lin discloses a microcomputer-based work force scheduling for hospital

porters who prove routine cleaning, transportation and messenger services to generate an equitable monthly roster for the porters. A microcomputer-based algorithm is used to generate a monthly roster and is used by hospital administrators and the porters.

The Lin reference is nonenabling of the subject matter of the invention, for example, the above limitations as recited each of the independent claims 10, 15, 24, 26, and 40, as amended. Each of the independent claims 10, 15, 24, 26, and 40, as amended, is in fact directed to novel subject matter that is not suggested by Lin. Applicants respectfully submit that a description of the claimed invention is not found or suggested in the Lin reference.

Applicants respectfully submit that each of the independent claims 10, 15, 24, 26, and 40, as amended, is patentable over the references of record including Lin. Independent claims 10, 15, 24, 26, and 40, as amended, recite a methods, a meeting scheduler and a computer program product for automated meeting rescheduling for busy calendars. In the present invention, as illustrated and described in the specification, and claimed in each of the independent claims 10, 15, 24, 26, and 40, as amended, stores and uses meeting automation properties defined for each scheduled meeting. In independent claims 10, 15, and 40, as amended, includes calculating a conflict score, that is not shown or suggested by the references of record including Lin. Independent claim 40 further recites, storing and using meeting attendee automation properties, which is not shown or suggested by the references of record including Lin.

Only by the present invention are these features taught and these features are not implemented or available in known meeting scheduling and calendaring

applications. Applicants have reviewed all the art of record, and respectfully submit that the claimed invention is patentable over all the art of record, including the references not relied upon by the Examiner for the rejection of the pending claims.

Applicants respectfully submit that one of ordinary skill in the art would not have been led to the claimed invention by the reasonable teachings or suggestions found in the prior art, including the Lin reference, as now recited in independent claims 10, 15, 24, 26, and 40, as amended,.

To establish a prima facie case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. See MPEP §2143.

Applicants respectfully submit that the rejections of claims 6-20, and 22-40 under 35 USC §103(a) fail to meet this first criteria and third criteria. Applicant respectfully submits that there is no suggestion or motivation in the Lin reference themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. The Lin reference does not disclose or remotely suggest the subject matter of the invention as taught and recited in each of the independent claims 10, 15, 24, 26, and 40, as amended.

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Thus, each of the independent claims 10, 15, 24, 26, and 40, as amended, is patentable.

Dependent claims 6-9, 11-14, 16-20, 22-23, 25, and 27-39, as amended, respectively depend from patentable claims 10, 15, 24, 26, and 40, as amended, further defining the invention. Each of the dependent claims 6-9, 11-14, 16-20, 22-23, 25, and 27-39, as amended, is likewise patentable.

It is believed that the present application is now in condition for allowance and allowance of each of the pending claims 6-20, and 22-40, as amended, is respectfully requested. Prompt and favorable reconsideration is respectfully requested.

If the Examiner upon considering this amendment should find that a telephone interview would be helpful in expediting allowance of the present application, the Examiner is respectfully urged to call the applicants' attorney at the number listed below.

Respectfully submitted,

S-signature by

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